

**DENTAL BOARD OF CALIFORNIA**  
**INITIAL STATEMENT OF REASONS**

Hearing Date: November 18, 2005

Subject Matter of Proposed Regulations: RDHAP Applications

Section (s) Affected: 1079.2

Specific Purpose of each adoption, amendment, or repeal:

The purpose of the proposed change is to clarify the meaning of the term “clinical practice” as it pertains to the requirements that a person must meet to obtain a registered dental hygienist in alternative practice (RDHAP) license.

The amendments would clarify that the term “clinical practice” is not limited to private practice in dental offices. This change is necessary because there has been inconsistency and confusion as to what duties in the practice of registered dental hygiene are considered “clinical” for purposes of accruing hours to qualify for licensure as an RDHAP. This amendment would clarify that registered dental hygienists (RDHs) who provide dental hygiene services in all settings, including public health settings and educational programs, may apply the hours that they practice dental hygiene, as defined in Business and Professions Code Section 1760.5, towards the required 2,000 hours of clinical practice required for licensure as a RDHAP.

The proposed changes would also eliminate the provision that allows credit for 1,000 hours of hygiene clinical instruction toward the 2,000 hours of practice required for RDHAP licensure because it would no longer be necessary based on the above-described amendment. For example, if the language were not deleted, an RDH who has completed 2,000 hours of dental hygiene practice by virtue of providing 2,000 hours of clinical instruction on patients would be limited to applying only 1,000 of those hours toward RDHAP licensure.

Factual Basis

Business and Professions Code Section 1774 specifies the requirements for licensure as a registered dental hygienist in alternative practice (RDHAP). One of the requirements (subdivision (a)(1)(A)) is that he or she has been “engaged in clinical practice as a dental hygienist for a minimum of 2,000 hours during the immediately preceding 36 months.”

At the time that Section 1774 was enacted (January 1, 1998-AB560), there was no statutory definition of what constitutes the practice of dental hygiene. Section

1760.5 which defines the practice of dental hygiene was enacted several years later (January 1, 2003 - SB1955). Due to Legislative oversight Section 1774 was not amended at the same time to include the comprehensive definition of dental hygiene practice.

There has been confusion and inconsistency in the interpretation of what is included in the term “clinical practice.” Consequently, it is necessary to define the term “clinical practice” to take into account the definition of dental hygiene as codified in Section 1760.5 and the many settings in which RDHs practice dental hygiene. For example, public health dental hygienists and educators actively practice dental hygiene, but not in private practice settings.

Furthermore, the application of a narrow definition of “clinical practice” is contrary to the goal of the legislation that created the RDHAP license category. That goal was to increase access to dental care outside of the traditional private practice setting.

The proposed change would provide clarity to the regulation both for applicants and for staff of the Committee on Dental Auxiliaries who process such applications.

#### Underlying Data

1. Letter dated October 12, 2004, to COMDA, from the California Dental Hygienists’ Association
2. Minutes of the November 3, 2004, meeting of the Committee on Dental Auxiliaries

#### Business Impact

This regulatory change will not have any adverse economic impact on business.

#### Consideration of Alternatives

The Dental Board of California has determined that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal change.